

Application No. 10/070,302
Filed: May 1, 2002
TC Art Unit: 1641
Confirmation No.: 2837

REMARKS

Claims 1, 3, 4, 5, 7-12, 14 and 15-18 are pending in the present application. Claims 1 and 4 have been amended above. The amendments have support within the specification such that new matter has not been presented. Claims 1, 3, 4, 5, 8-12, 14 and 15-18 should be pending on entry of the amendments herein.

The above amendments to the claims should not be construed as acquiescence to the rejections by the Examiner and were provided solely to expedite the prosecution of the application. Applicants reserve the right to pursue the claims as originally filed in the present or a separate application(s).

Applicants respectfully request reconsideration and withdrawal of the rejections maintained by the Examiner in view of the above amendments and remarks herein.

Interview Summary

In a telephone interview with the Examiner on April 1, 2005, the amendments to claims 1 and 4 were discussed with the undersigned attorney. The Examiner also indicated that the structure of formula (I) in claims 1 and 4 should be addressed with regard to a site or functional group for coupling, for example, to a carrier.

Claim Rejections Under 35 U.S.C. § 112

In an advisory action to the present application, the Examiner has maintained that the pending claims remain rejected under 35 U.S.C. § 112. Applicants respectfully submit that a person of ordinary skill within the art, endeavoring to practice the method of claims 9-11, would understand that a compound that comprises the structure of formula (I) as recited by claims 1 and 4 is coupled to a carrier by means of a functional group such as those provided

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for in claims 1 and 4. For example, in addition to the compounds specifically recited within Figure 3 mentioned by the Examiner, a structure of formula (I) could have a group R^1 represented as $-NR'_2$ in which R' is hydrogen. Such an amide would then provide a site for coupling as shown by Figure 2. Thus, Applicants submit that the rejections by the Examiner have been overcome.

Claim Rejections Under 35 U.S.C. §§ 102 And 103

In an advisory action to the present application, the Examiner has maintained that the pending claims remain rejected under 35 U.S.C. §§ 102 and 103. Applicants have amended claims 1 and 4 as suggested by the Examiner to overcome the rejections.

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CONCLUSION

Based on the remarks presented herein, reconsideration and withdrawal of the maintained rejections and allowance of the application with the pending claims are respectfully requested.

The Examiner is also encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

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